IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 25TH SEPTEMBER 2007 / 3RD ASWINA 1929

WP(C).No. 28351 of 2007(A)

PETITIONER:

ALLIANCE TRADERS & CONTRACTORS(P)LTD.,
151, GIRINAGAR, KOCHI
REPRESENTED BY ITS DIRECTOR, SMT. BIJI JITTO
(OFFICE VYTILLA)

BY ADV. SRI.A.KUMAR

RESPONDENTS:
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1. DEPUTY COMMISSIONER(APPEALS),
ERNAKULAM.

2. SALES TAX OFFICER,
2ND CIRCLE, TRIPUNITHURA.

3. INSPECTING ASSISTANT COMMISSIONER,
KAKKANAD.

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 28351 OF 2007
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Dated this the 25th day of September, 2007

J U D G M E N T

Aggrieved by Ext.P1 assessment order, petitioner has filed Exts. P2 and P3 appeal and stay petition before the 1st respondent. During the pendency of the appeal and stay petition, revenue recovery has been initiated as per Ext.P4. It is also pointed out that to avoid revenue recovery, petitioner has already remitted Rs.1,80,000/-, as per Ext.P5. Still the revenue recovery action is being continued and hence this writ petition.

2. In view of the pendency of the appeal and stay petition, I consider it only appropriate that the Appellate Authority is directed to consider and pass orders on Exhibit P3 stay application, as expeditiously as possible, at any rate within a period of 3 weeks. In

the meantime, all further proceedings pursuant to Ext.P4 shall be kept in abeyance.

Writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE.

Rp